



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Roy R. Lobb

Serial No.: 08/374,331

Filed: January 18, 1995

For: TREATMENT FOR ASTHMA

Attorney Docket No.: BGP-021USCP (D002CIP2US)

Group Art Unit:

Examiner:

U. S. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Attention: Application Processing Division,  
Special Processing & Correspondence Branch

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Dear Sir:

Responsive to the NOTICE TO FILE MISSING PARTS OF APPLICATION, (which included a NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES), dated March 10, 1995, Applicants' attorney submits herewith:

a copy of Form PTO-1533;

an executed Declaration, and Power of Attorney for the above-identified patent application;

an executed Verified Statement Claiming Small Entity Status;

a check in the amount of \$65.00 to cover the required surcharge for late filing of declaration;

(A Response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES and a

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks Office, Washington, DC  
20231 on:

Date

Louis Myers, Reg. No. 35,965

USSN 08/374,331  
Atty Dkt: BGP-021USCP

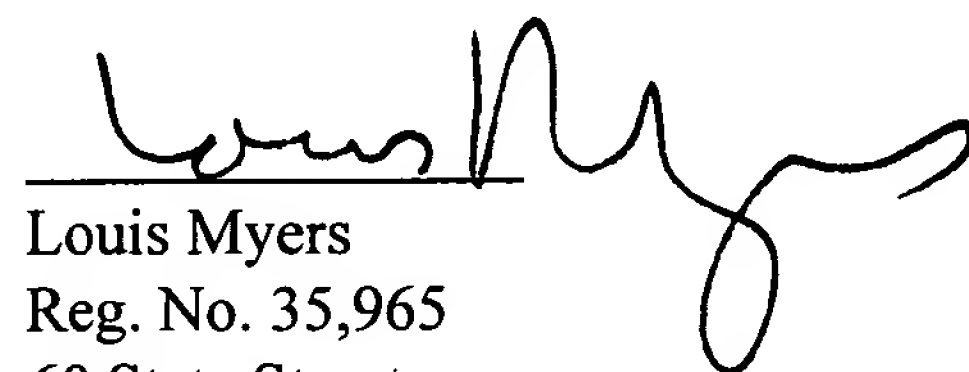
Sequence Listing in computer readable form as required by 37 CFR 1.821(e); a Sequence Listing as required under 37 CFR 1.821(c); a statement under 37 CFR 1.821(f); a copy of the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES; and Preliminary amendment directing entry of the Sequence Listing into the application are also enclosed.).

The Commissioner is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 12-0080. Applicants do not believe further extension of time is required but if an additional extension is required, Applicants request such extension, and request any necessary fees be charged to Deposit Account No. 12-0080.

**A duplicate of this letter is enclosed.**

Respectfully submitted,

LAHIVE & COCKFIELD

A handwritten signature in black ink, appearing to read "Louis Myers", is written over a horizontal line.

Louis Myers  
Reg. No. 35,965  
60 State Street  
Boston, MA 02109  
Tel. (617) 227-7400  
Fax (617) 227-5941



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Attention: Application Processing Division,  
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**TRANSMITTAL LETTER**

Dear Sir:

Responsive to the NOTICE TO FILE MISSING PARTS (FORM PTO-1533) accompanied by a NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES mailed March 10, 1995, the following is enclosed:

1. Copy of NOTICE TO FILE MISSING PARTS (FORM PTO-1533);
2. Response to the Notice to File Missing Parts (2 pp.);
3. Declaration, Petition and Power of Attorney (Executed) (4 pp.);
4. Verified Statement Claiming Small Entity Status (1 p.)
5. A check for \$65.00 to cover the required surcharge;
6. Response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pp.);
7. Preliminary Amendment (2 pp.);
8. Statement Under 37 CFR §1.821(f) (1 p.);

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks Office, Washington, DC  
20231 on:

Date

Louis Myers, Reg. No. 35,965

USSN 08/374,331

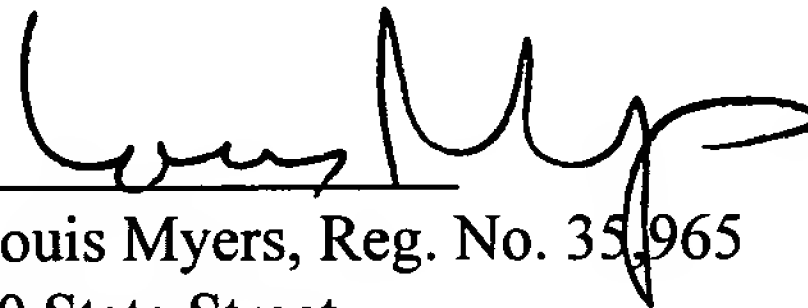
Atty Dkt: BGP-021US

9. Transmittal Letter for Diskette of Sequence Listing (1 p.);
10. Copy of NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES;
11. Sequence Listing (2 paper copies);
12. Diskette containing Sequence Listing; and
13. Return Postpaid Postcard.

We authorize the charging of any additional fees and crediting of any overpayment associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. **A duplicate copy of this letter is enclosed.**

Respectfully submitted,

LAHIVE & COCKFIELD



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Boston, MA 02109  
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**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Dear Sir:

Responsive to the Notice to File Missing Parts of Application, which included a Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated March 10, 1995, Applicants' attorney submits herewith: Sequence Listing in computer readable form as required by 37 CFR 1.821(e); Sequence Listing as required under 37 CFR 1.821(c); a statement under 37 CFR 1.821(f); Copy of the Notice to

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Office, Washington, DC 20231 on:

24 Mar 95

Date

Louis Myers

Louis Myers, Reg. No. 35,965

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Atty Dkt: BGP-021USCP

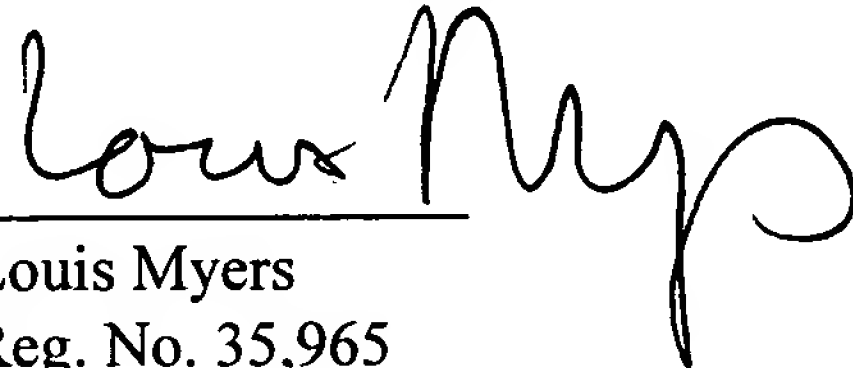
Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures; and Preliminary amendment directing entry of the Sequence Listing into the application.

The Commissioner is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 12-0080. Applicants do not believe extension of time is required but if an additional extension is required, Applicants request such extension, and request any necessary fees be charged to Deposit Account No. 12-0080.

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